

REMARKS

Applicant requests that new figures 1-11 be added to the application and similarly requests that the application, with the newly proposed figures be afforded the filing date July 25, 2001. Applicant offers the following analysis regarding the content of Figures 1-11 and their basis in the specification as filed on July 25, 2001 in U.S. Application Serial No. 09/915,211 (as well as the specification filed on October 10, 2002 which was a straight continuation and therefore had the same disclosure).

The content of Figure 1 can be found at least in the description of the "Synthesis of nandrolone carbenicillinate (conjugate 1)" at page 12, lines 10 - 28. The structure of the final product is also found in table 1, page 24, conjugate number 1.

The content of Figure 2 can be found at least in the description of the "Synthesis of progesterone benzylpenicillinate (conjugate 2)" at page 12, lines 30 - page 13, line 16. The structure of the final product is also found in table 1, page 24, conjugate number 2.

The content of Figure 3 can be found at least in the description of the "Synthesis of cocaine carbenicillinate (conjugate 3)" at page 13, line 18 - page 14, line 10. The structure of the final product is also found in table 1, page 24, conjugate number 3.

The content of the first line of Figure 4 can be found at least in the description of "Synthesis of tert-butyl 3-(4-carboxyphenyl)-5-methylisoxazole-4-carboxylate (precursor 1)" at page 14, line 26 - page 15, line 23. The structure of precursor 1 can be determined from the name of the compound.

The content of the second line of Figure 4 can be found at least in the description of "Synthesis of tert-butyl 3-[4-(2-bromoethoxy)-3-chlorophenyl]-5-methylisoxazole-4-carboxylate and tert-butyl 3-[4-(2-iodoethoxy)-3-chlorophenyl]-5-methyl-isoxazole-4-carboxylate (precursors 2a and 2b)" at page 15, line 25 - page 16, line 15. The structures of precursors 2a and 2b could have been determined from the names of the compounds.

The content of the third line of Figure 4 can be found at least in the description of "Synthesis of tert-butyl 3-[N-(3-chloropropyl)benzamid-4-yl]-5-methylisoxazole-4-carboxylate and tert-butyl 3-[N-(3-iodopropyl)benzamid-4-yl]-5-methylisoxazole-4-carboxylate (precursors 3a and 3b)" at page 16, lines 17 - 34. The structures of precursors 3a and 3b could have been determined from the names of the compounds.

The content of the fourth line of Figure 4 can be found at least in the description of "Synthesis of tert-butyl 3-[4-(2-carboxyethoxy)phenyl]-5-methylisoxazole-4-carboxylate protected by a tert-butyldimethylsilyl ester (precursor 5)" at page 17, lines 1-14. The structure of precursor 4 could have been determined from the name of the compound.

The content of the first line of Figure 5 can be found at least in the description of "Synthesis of tert-butyl 3-[4-(2-carboxyethoxy)phenyl]-5-methylisoxazole-4-carboxylate protected by a tert butyldimethylsilyl ester (precursor 5)" at page 17, lines 16-29. The structure of precursor 5 could have been determined from the name of the compound.

The content of the second and third lines of Figure 5 can be found at least in the description of "Aminovaleric derivatives of nandrolone (precursor 6 or of testosterone (precursor 7)" at page 18, lines 5-19. The structures of precursors 6 and 7 could have been determined from the knowledge that they are aminovaleric derivatives of nandrolone and testosterone respectively.

The content of the first and second lines of Figure 6 can be found at least in the description of "Hemisuccinates of testosterone and of nandrolone (precursors 8 and 9)" at page 18, lines 21-25. The structures of precursors 8 and 9 could have been determined from the knowledge that they are hemisuccinate derivatives of testosterone and nandrolone respectively.

The content of the third, fourth, and fifth lines of Figure 6 can be found at least in the description of "Addition of a propionic arm to testosterone and to nandrolone (precursors 10 and 11) as well as to progesterone (precursor 12)" at page 18, lines 27 - page 29, line 3. The structures of precursors 10, 11, and 12 could have been determined from the knowledge that the synthesis adds a "propionic arm" to testosterone, nandrolone, and progesterone.

The content of Figure 7 can be found at least in the description of "Preparation of 3-tert-butyldimethylsilylestradiol (precursor 14) and addition of a propionic arm to protected estradiol (precursor 13)" at page 19, lines 4 - 16. The structures precursors 13 and 14 could have been determined from the knowledge that the synthesis creates 3-tert-butyldimethylsilylestradiol and 3-tert-butyldimethylsilylestradiol with a propionic arm.

The content of line 1 of Figure 8 can be found at least at page 19, lines 20-35. The structures of the compounds formed, which incidentally is not included in line 1 of Figure 8 can be found in table 1 at page 24-25, specifically conjugates 4 to 7.

The content of line 2 of Figure 8 can be found at least at page 20, lines 1-8, and the structures of the compounds formed can be found in table 1, at page 25, specifically conjugates 8 and 9. Similarly, the content of line 3 of Figure 8 can be found at least at page 20, lines 9-22, and the structures of the compounds formed can be found in table 1, at pages 25-26, specifically conjugates 10 to 17. The content of line 4, of Figure 8 can be found at least at page 20, lines 23-33, and the structures of the compounds formed can be found in table 1, at page 26-27, specifically conjugates 18 to 23.

The content of line 1 of Figure 9 can be found at least at page 20, line 33 - page 21, line 9, and the structures of the compounds referred to as chains 24 to 29 can be found in table 1, at pages 27-28. The content of line 3 of Figure 9 can be found at least at page 22, lines 10-25, and the structures of the compounds referred to as chains 30-32 can be found in table 1 at pages 28-29. Similarly, the content of line 4 of Figure 9 can be found at least at page 21, lines 14-26, and the structures referred to as chains 4 to 29 can be found in table 1 at pages 24-29.

The values that are plotted in Figure 10 and the identity of the axes can be found at least at page 31 in table 2. Similarly, the values that are plotted in Figure 11 and the identity of the axes can be found at least at page 35, table 5.

Based on the above discussion, Applicant submits that proposed figures 1-11 do not contain new matter and should therefore be entered into the application and be accorded the filing date and priority status of the rest of the application.

If a telephone conference would be helpful in resolving any issues concerning this preliminary amendment, please contact Applicants' Representative, Anna M. Nelson (Reg. No. 48,935), at (612)336.4701.

Respectfully submitted,

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By 

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